

Regular Meeting Minutes

Board of County Commissioners Hyde County

Monday, July 2, 2018

Following opening prayer by Commissioner Tunnell and Pledge of Allegiance, Chairman Earl Pugh, Jr. called the Regular Meeting of the Hyde County Board of Commissioners to order at 6:00p.m., on Monday, July 2, 2018, in the Hyde County Government Center, Multi-Use Room, and the Ocracoke Community Center using electronic conferencing equipment.

The following members were present on the mainland: Chairman Earl Pugh, Jr.; Vice-chairman Barry Swindell; Commissioner Dick Tunnell; County Manager Kris Noble; Attorney Franz Holscher; Clerk to the Board Lois Stotesberry; and, members of the public.

Consultant Bill Rich and IT Director Donnie Shumate were present on Ocracoke.

Commissioner Tom Pahl joined the meeting on Ocracoke at 6:15p.m. and Commissioner Ben Simmons joined the meeting on the Mainland at 6:30p.m.

Consideration of Agenda:

Commissioner Swindell moved to approve the Monday, July 2, 2018 Board of Commissioners Regular Meeting Agenda as presented by the Clerk with Appointment to Swan Quarter Watershed Steering Committee tabled to the August 6, 2018 Board of Commissioners meeting. Mr. Tunnell seconded the motion. The motion passed on the following vote: Ayes – Pugh, Swindell and Tunnell; Nays – None; Absent or not voting – Pahl and Simmons.

Consideration of Minutes:

June 5, 2018 – Regular Meeting

Commissioner Swindell moved to approve the June 5, 2018 Hyde County Board of Commissioners Regular Meeting Minutes as presented by the Clerk with correction on **page 4 – line 36** – Commissioner Pahl reported Hyde County is losing revenue ~~as a result of tax increase which is partially responsible for low collections~~ because of a low collection rate; and on **page 8 – line 21** – shellfish company to ~~purchase~~ lease 300 acres; **line 25** – the State gifted the ~~Engelhard~~ Perquimans Marine Park property to Perquimans County; and **line 28** – send a letter to ~~Perquimans County~~ NC Marine Industrial Seafood Park. Mr. Tunnell seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl, Swindell and Tunnell; Nays – None; Absent or not voting – Simmons.

June 27, 2018 – Budget Workshop Meeting

Commissioner Tunnell moved to approve the June 27, 2018 Hyde County Board of Commissioners Special Meeting Minutes as presented by the Clerk. Mr. Swindell seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl, Swindell and Tunnell; Nays – None; Absent or not voting – Simmons.

Introduction:

Pat Bertke, Director of MATTIE Arts Center will be introduced at the August 6, 2018 Board of Commissioners meeting.

Presentations:

Resolution In Honor of The Memory of Tony Spencer

Commissioner Swindell moved to adopt “Resolution In Honor of The Memory of Tony Spencer”. Mr. Tunnell seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl, Swindell and Tunnell; Nays – None; Absent or not voting – Simmons.

Chairman Earl Pugh, Jr., stated the Hyde County Board of Commissioners expresses their deepest sympathy for the family of Tony Spencer. Chairman Pugh presented the resolution in honor of the memory of Tony Spencer to his wife Jo Ann Spencer and his father R. S. Spencer.

Clerk's Note: A copy of “Resolution In Honor of The Memory of Tony Spencer” is attached herewith as Exhibit A and incorporated herein by reference.

Commissioner Simmons arrived and apologized to the Spencer's for missing the presentation. Mr. Simmons commended Tony Spencer's dedication and support of the Volunteer Fire Departments in Hyde County.

Senior Tar Heel Legislature

Jan Moore, NC Senior Tar Heel Legislative (STHL) Delegate for Hyde County presented report on the June 12-13, 2018 STHL meeting held in Chapel Hill, NC. High points of the meeting included increase Home and Community Care

Block Grant (HCCBG) funding and increase funding for Senior Centers. Recurring increase in federal funding totaled \$3,934,394 and recurring increase in the state budget totaled \$1,000,000 for a grand total increase of \$4,934,394.

Early Voting Changes by the NC General Assembly

Viola Williams, Director of Elections, reported changes to early voting schedules cleared the General Assembly with the passing of Senate Bill 325 week before last. This bill affects Hyde County and has a negative impact specifically to voters on Ocracoke if that site were closed.

House Bill 335 was introduced last week. It brings back the last Saturday of the month voting and includes a clause that will allow Hyde County to still offer early voting on Ocracoke for two (2) days, but mandates the polls be open from 7:00a.m. – 7:00p.m., on both days. Providing the extra hours will increase the Elections budget by approximately \$1,200.00. The Board of Elections will determine what days the polls will be open.

Employee Recognition

Kris Noble, County Manager, and the Commissioners recognized Bill Rich for his five years of service to the citizens of Hyde County. Mr. Rich was awarded a \$25 gift card to Jason's on Ocracoke.

Public Comments:

Peter Vankevich, Ocracoke, asked if the \$1,200.00 increase in voting cost for 17 days is an extra cost or an added cost.

Viola Williams, Elections Director, reported the \$1,200.00 is an additional cost for staff to keep the polls open.

Hearing no further comments from the public, Chairman Pugh continued the meeting.

Swan Quarter Watershed Committee Vacancies (tabled)

Engelhard Sanitary District Board

Commissioner Swindell moved to appoint Jo Ann Spencer to replace Tony Spencer on the Engelhard Sanitary District Board. Mr. Simmons seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl, Simmons, Swindell and Tunnell; Nays – None; Absent or not voting – None.

Board of Health

Luana Gibbs, Health Director, reported the Hyde County Board of Health at its June 19, 2018 meeting approved the re-appointment of Tynia Harris to serve a third three year term and appointment of John Mullen to his first three year term on the Hyde County Board of Health. Each term is a three year term and no more than three consecutive terms may served at one time.

Commissioner Swindell moved to re-appoint Tynia Harris to serve a third term and to appoint John Mullen to serve a first term on the Hyde County Board of Health. Mr. Simmons seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl, Simmons, Swindell and Tunnell; Nays – None; Absent or not voting – None.

Designation of Voting Delegate To NCACC Annual Conference

Commissioner Tunnell moved to designate Earl Pugh, Jr. to represent Hyde County at the 111th NCACC Annual Conference in Catawba County on August 23-25, 2018. Mr. Swindell seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl, Simmons, Swindell and Tunnell; Nays – None; Absent or not voting – None.

Commissioner Tunnell will serve as alternate voting delegate.

NC DOT Construction Agreement

Kris Noble, County Manager, presented **Traffic – DOT Construction Agreement (ID # 7895)** for Board of Commissioners discussion and approval. Upon execution of the agreement, the County agrees to own, operate and maintain the tram system for a minimum of four (4) years.

Franz Holscher, County Attorney, will review and present revision to the Agreement at the next Board of County Commissioners meeting on August 6, 2018.

Commercial Lease – Ocracoke Tram Project

Kris Noble, County Manager, reported as a part of the Ocracoke Passenger Ferry project, Hyde County has partnered with the NC DOT Ferry Division and NC DOT Public Transportation Division to offer tram service in Ocracoke Village. Hyde County has secured a private operator for the tram service. Trams are being provided by the NC DOT and will be housed by Hyde County in a building (approximately 900 square feet) owned by Ferry View Partners, LLC located on Lot 5, as shown on a plat map recorded at Plat Cabinet C, Slide 136L, Hyde County Registry. The property is located adjacent to Water Plant Road, Ocracoke, NC. Discussion was initially tabled until August and was later revisited.

Commissioner Tunnell moved to approve authorization and execution of the lease subject to inclusion of certain revisions, including a right for Hyde County to terminate upon 180 days-notice and in the event it is so terminated, Ferry View Partners, LLC shall obtain ownership of the improvements constructed upon the premises. Mr. Pahl seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl, Simmons, Swindell and Tunnell; Nays – None; Absent or not voting – None.

Ms. Noble reported reimbursement to Hyde County for the lease payments is provided within the overall tram budget. Franz Holscher, County Attorney, will review and present a re-draft of the Commercial Lease at the next Board of County Commissioners meeting on August 6, 2018.

Colocation of Telecommunications Equipment on Existing Tower

Donnie Shumate, IT Director, reported T-Mobile has submitted a permit application to install a three (3) foot microwave dish on an existing tower located on Bishop Road in Scranton. The microwave dish was listed as “future install” in the original design plan submitted by T-Mobile and approved by the Board of Commissioners on November 6, 2017. Mr. Shumate reported Hightower Communications will be the contractor handling the installation. All parties involved have submitted the necessary paperwork and the application meets the requirements of the Hyde County Wireless Telecommunications Facility Ordinance.

Mr. Shumate also reported a 600mgh chip will be installed in all new T-Mobile cell phones.

Commissioner Swindell moved to approve colocation of telecommunications equipment on an existing tower on Bishop Road in Scranton as submitted by T-Mobile. Mr. Tunnell seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl, Simmons, Swindell and Tunnell; Nays – None; Absent or not voting – None.

DHHS/DSS Signing Statement

Laurie Potter, Director, DSS, reported at the June commissioners meeting she had presented an annual agreement between the Department of Health and Human Services and the Hyde County Department of Social Services for all social services programs excluding Medicaid. Law requires the agreement to contain certain performance requirements and administrative responsibilities related to the social services program. North Carolina counties were required to submit executed agreements to the state prior to a June 29, 2018 deadline. However, Ms. Potter had reservations in regard to the requirements within the agreement. She reported the agreement was submitted and has been signed.

Franz Holscher, County Attorney, condensed and streamlined the “Signing Statement” regarding the Memorandum of Understanding (MOU) for FY2018-19 to better represent Hyde County DSS.

Ms. Potter endorsed Mr. Holscher’s rewrite of the Signing Statement.

Commissioner Simmons moved to send the revised “Signing Statement” as prepared by Attorney Holscher. Mr. Pahl seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl, Simmons, Swindell and Tunnell; Nays – None; Absent or not voting – None.

Tunnell Subdivision

Kris Noble, County Manager, reported the Douglas Tunnell Heirs have submitted a subdivision plat for consideration. The subdivision is considered a minor subdivision under the Hyde County Subdivision Ordinance, meeting the requirements that it involves no more than ten lots and includes contiguous land single ownership. In addition this subdivision does not involve any new streets, requires no existing drainage easements, does not create new or residual parcels that do not conform, and does not constitute an enlargement of a previously approved minor plat. All lot square footages and accesses meet requirements and water and sewer is available to the lots being created.

Commissioner Simmons moved to approve the Douglas Tunnell Heirs Subdivision as presented. Mr. Swindell seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl, Simmons, Swindell and Tunnell; Nays – None; Absent or not voting – None.

Dark Woods Farms Subdivision

Kris Noble, County Manager, reported Dark Woods Farms, LLC has submitted a subdivision plat for consideration. The subdivision is considered a minor subdivision under the Hyde County Subdivision Ordinance, meeting the requirements that it involves no more than ten lots and includes contiguous land single ownership. In addition this subdivision does not involve any new streets, requires no existing drainage easements, does not create new or residual parcels that do not conform, and does not constitute an enlargement of a previously approved minor plat. All lot square footages and accesses meet requirements.

Commissioner Pahl moved to approve the preliminary plat and authorize the planner to verify code compliance and execute the final plat. Mr. Simmons seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl, Simmons, Swindell and Tunnell; Nays – None; Absent or not voting – None.

Fee Schedule FY2018-19

Luana Gibbs, Director reported the FY2018-19 Hyde County Health Department Fee Schedule was reviewed and approved by the Hyde County Board of Health on June 19, 2018.

Commissioner Swindell moved to approve the Health Department FY2018-19 Fee Schedule as presented. Mr. Tunnell seconded the motion. The motion passed on the following vote: Ayes – Pahl, Pugh, Simmons, Tunnell and Swindell; Nays – None; Absent or not voting – none.

Budget Transfers:

Earl Pugh, Jr., Chairman, presented the following budget transfer for Board of Commissioners approval.

- **Health Department** – Mental Health & Substance Abuse \$91,350.00

Luana Gibbs, Health Director reported this revision creates a budget for Hyde County's Mental Health/Substance Abuse program. Grant funding from Kate B. Reynolds Foundation covers salary and fringe benefits for a Licensed Counselor, supplies, travel and education. Total grant funding for fiscal year 2018-2019 totals \$151,927.00. A formal presentation of this program will be provided at the August 6, 2018 Board of Commissioners meeting.

Commissioner Swindell moved to approve the Health Department budget transfer as presented. Mr. Simmons seconded the motion. The motion passed on the following vote: Ayes – Pahl, Pugh, Simmons, Tunnell and Swindell; Nays – None; Absent or not voting – none.

Management Reports:

Chairman Earl Pugh, Jr. – attended an Albemarle Commission meeting in Hertford.

Vice-chair Barry Swindell – thanked Manager Noble and staff for Bill Rich's retirement party. Mr. Swindell attended a Health Board meeting and continues working with Brandon Marshal and Kris Noble on the recreation complex project.

Commissioner Dick Tunnell – will attend a Mid-East Housing meeting this week.

Commissioner Ben Simmons – discussed lottery tickets on Ocracoke and the poultry and hog industry in North Carolina.

Commissioner Tom Pahl – reported nothing is prohibiting the sale of lottery tickets on Ocracoke. Mr. Pahl attended Ocracoke Township Tourism Development Authority, Island Inn, Waterways Commission and Hyde Transit Board meetings and met with Bill Rich and Kris Noble. Mr. Pahl discussed safety concerns for motorized skateboards and improved communications and signage on the Island.

Bill Rich, Former County Manager – thanked everyone for the surprise retirement celebration. He will revisit the tram project at a later meeting.

County Manager Kris Noble – attended NC Economic Development, Ocracoke Township Tourism Development Authority, NC DOT Airport and Hycienda Heights meetings. She reported six home elevations have started; an engineer for the Davis Building roof repair project will be selected; youth athletics is progressing well; and Hyde County will have an alligator hunt season in September with a permit. She plans to attend the 4th of July dignitary breakfast in Belhaven. She is moving into the manager's office and plans to meet with department heads to discuss ways to increase revenues in each department.

Public Comments:

Hearing no comments from the public, Chairman Pugh continued the meeting.

Closed Session (none)

Adjourn


Commissioner Simmons moved to adjourn the meeting. Mr. Swindell seconded the motion. The motion passed on the following vote: Ayes – Pahl, Pugh, Tunnell, Swindell and Simmons; Nays – None; Absent or not voting – None.

The meeting adjourned at 7:15p.m.

Respectfully submitted:

Minutes approved on the 6th day of August, 2018.

Attest:


Lois Stotesberry, CMC, NCCCC
Clerk, Hyde County Board of Commissioners


Earl Pugh, Jr.
Chair, Hyde County Board of Commissioners



Attachments:

Exhibit A: "Resolution In Honor of The Memory of Tony Spencer"



**BOARD OF COMMISSIONERS
OF THE COUNTY OF HYDE,
NORTH CAROLINA**

**RESOLUTION OF THE HYDE COUNTY BOARD OF COMMISSIONERS
TO HONOR THE MEMORY OF TONY SPENCER**

JULY 2, 2018

WHEREAS, Romulus Sanderson Spencer III (Tony) son of R. S. Spencer Jr. of Engelhard and Judy B. Spencer of Winterville, and husband of Jo Ann Spencer was born on May 5, 1967 and passed away on June 3, 2018; and,

WHEREAS, Tony currently served as Senior Emergency Management Specialist at HQ USMC teaching in this country and overseas in Japan and Korea; Engelhard Volunteer Fire Department Chief; Engelhard Sanitary District Chairman; and,

WHEREAS, Tony formerly served as Carteret County Deputy Director of Emergency Services & Director of Emergency Communications and former Hyde County Emergency Manager & Fire Marshal; and,

WHEREAS, Tony was instrumental in acquiring increased funding for OSFM Fire Rescue grants for county-wide fire departments' needs to purchase equipment for operations in February 2017; and,

WHEREAS, Tony was commended for assistance provided during the emergency rescue, firefighting and clean-up along with fellow firefighters during the Ocracoke Fireworks Explosion in July, 2009; and,

WHEREAS, Tony was instrumental in the beginning of Ponzer Volunteer Fire & Rescue Department and assisted the Department with Evans Road Fire in June, 2008; and,

WHEREAS, Tony was commended for improved fire service recruitment and retention of volunteers, funding and improvement of fire service rating in 2006; and,

WHEREAS, Tony remained Emergency Management Director and was assigned Inspection duties and Enforcement Officer for Ocracoke Development Ordinance in 2006; and,

WHEREAS, Tony became Hyde County Emergency Management Coordinator in August, 2004; and,

WHEREAS, Tony graduated Mattamuskeet High School, studied Emergency Management at American Public University and graduated North Carolina State University with a degree in history.

NOW THEREFORE, BE IT RESOLVED, that the Hyde County Board of Commissioners express their deepest sympathy for the family of Tony Spencer and wish to honor him for his thirty plus years of dedicated service to the citizens of Hyde County.

Adopted this the 2nd day of July, 2018 in Hyde County, North Carolina.

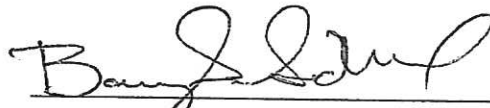
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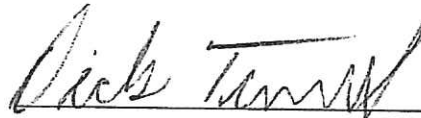
Lois Stotesberry, CMC, NCCCC
Clerk, Hyde County Board of Commissioners



Earl D. Pugh, Jr., Chairman
Hyde County Board of Commissioners



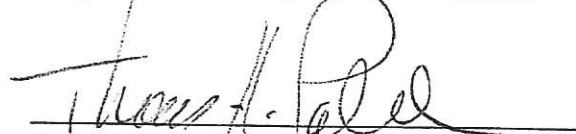
Barry S. Swindell, Vice-chairman



Dick Tunnell, Commissioner



Benjamin Simmons, III, Commissioner



Tom Pahl, Commissioner

